

### **REMARKS/ARGUMENTS**

Claims 21-25, 27-34 and 36-41 are pending. Claims 1-20, 26 and 35 are cancelled. Claims 42-51 are new. No admission or representation is made by the present argument other than that explicitly provided herein.

#### **Summary of Interview**

The Applicant thanks the Examiner for the interview of July 7, 2009. During the interview, the features of the claims were discussed as well as the references cited. The Examiner agreed that the feature of a delay before displaying a preview in response to a user action (as described in paragraph [0050] of the description) and the feature of a persistent preview (as described in paragraphs [0049] and [0063] of the description) would distinguish the present claims over the cited references. The Applicant thanks the Examiner for this and has amended the claims taking this into account.

The Examiner also suggested that because the Nokia Communicator has a large keyboard when opened, the larger display may be correspondingly considered a large display, in contrast to the small display when the Nokia Communicator is closed. The Applicant also thanks the Examiner for this.

#### **Claim Amendments**

In view of the Examiner interview, independent claims 21 and 33 have been amended to include the feature of "wherein the first preview persists on the main screen when a subsequent second preview is displayed for a subsequent event." Support for this feature may be found, for example, in paragraphs [0049] and [0063] of the application.

The features of "a status portion for displaying wireless communication device status information" and "the application icons occupying a major portion of the main screen" have been removed from the independent claims, in order to clarify the claimed subject matter. The phrase in claim 21, "an application for managing respective events" has been replaced with "an application"; and the corresponding phrase in claim 33,

“applications for managing respective events” has been replaced with “applications” for clarity.

Dependent claims 27, 28, 36 and 37 have been amended to agree with the amendments to the independent claims.

New claims 42 and 47 have been added to recite the feature of a status portion, formerly found in the independent claims.

New claims 43 and 48 have been added to recite the feature of the application icons occupying a major portion of the main screen, formerly found in the independent claims.

New claims 44 and 49 have been added to recite the feature that the first preview persists until the new event is opened. Support for this may be found, for example, in paragraph [0049] of the application.

New claims 45 and 50 have been added to recite the feature that the subsequent event may be for a second application different from the one application. Support for this may be found, for example in FIG. 8 of the application.

New claims 46 and 51 have been added to recite the feature of a delay before displaying the preview in response to a user action. Support for this may be found, for example, in paragraph [0050] of the application.

### **Claim Rejections**

#### **Salmimaa in combination with Nokia**

Claims 21-24, 29, 30, 33, 38 and 39 stand rejected under 35 USC 103(a) over U.S. Publication No. 2002/0160817, hereinafter “Salmimaa,” in view of Nokia 9210 Communicator, hereinafter “Nokia.” The Applicant respectfully disagrees for at least the reasons provided below.

The larger display of the Nokia Communication is not a small display; Salmimaa is not applicable to the smaller display of the Nokia Communicator

The Examiner alleges that larger display of the Nokia Communicator may be considered a small display. The Examiner also alleges that the teachings of Salmimaa may be modified to suit the smaller display of the Nokia Communicator. The Applicant disagrees with the Examiner's position, and submits that the device having a small display in the present application is not equivalent to the Nokia Communicator.

As stated on page 2 of the user manual for the Nokia Communicator (attached in Appendix I), the Nokia Communicator has two parts - the phone and the communicator interface. When the Communicator is opened to activate the communicator interface, "the large keyboard, command buttons, and display make using the applications easy." This indicates that the full, large keyboard and correspondingly sized display differ from and offer advantages over a small display, in that they are large and hence "make using the applications easy." Thus, the display may be considered a large display, in contrast to the small display required by the present claims.

The Applicant's previously submitted arguments against modifying the teachings of Salmimaa to be implemented on the smaller display of the Nokia Communication, such as the Examiner's suggestion of reducing the number of icons, are still applicable and the Applicant requests that these be brought forward. For the sake of brevity, these arguments will not be repeated here.

The Examiner is asked to take into consideration the fact that the technology of Salmimaa and Nokia is substantially older than that of the present application, as evidenced by the fact that Salmimaa has a filing date of April 26, 2001, which is almost three years prior to the filing date of the present application, February 24, 2004. One skilled in the art would appreciate that wireless communication devices shrank substantially over the period from 2001 to 2004 and that the color and resolution of the subsequent smaller displays also improved over this time. Salmimaa deals with

technology in which small screen devices have very limited display capabilities, which is why Salmimaa is only concerned with the larger display on the Nokia Communicator. The Applicant submits that the Examiner is applying hindsight analysis and knowledge of what is available today to misinterpret what Salmimaa teaches in the context of the technology of 2001.

Nonetheless, in the interest of advancing prosecution, the claims have been amended in view of the Examiner's suggestions during the Examiner interview.

Salmimaa and Nokia do not teach a persistent preview

The independent claims recite the feature "wherein the first preview persists on the main screen when a subsequent second preview is displayed for a subsequent event." This means, for example, that the preview of a received message is not replaced by a newer preview of a subsequently received message. Thus, the user is provided with preview information of not only the most recent event, but also persistent preview information of an older event. This may be advantageous, for example, where the user is in fact more interested in the older event and thus would not want the preview of a newer but less important event to replace the preview of the older event.

Additionally, multiple applications may have new events for previewing on the respective application icons. After one application has a new event, a different application may have a subsequent event. The feature that a preview persists even when subsequent previews are displayed means that when an application has a new event, its associated application icon is visually modified to display a first preview for the new event, and when a different application has a subsequent event, a different associated application icon is also visually modified to display a subsequent second preview for the subsequent event, without affecting the display of the first preview. Thus, multiple application icons may have multiple respective previews that appear subsequent to each other, without affecting the display of any earlier preview. This may be advantageous, for example, in that the user can, in one glance, see previews of all new events for various applications.

Salmimaa fails to teach this feature. According to the teachings of Salmimaa, for example as found in paragraph [0038]: “[an] optional icon selector function 411, for example a magnifying glass selector, allows the user to move over icons on the display to depict further information regarding the icons and to temporarily enlarge icons of potential interest” (emphasis added). This further information is displayed only in when the icon selector is moved over an icon, and accordingly does not persist after the icon selector is moved away. As shown in FIG. 1, the further information can be displayed in a text box below the row of icons. Paragraph [0031] of Salmimaa also states: “By moving the magnifying glass over an icon, a text message explaining or identifying the selected icon can be displayed at the bottom of the screen” (emphasis added). This interface design clearly indicates that only one instance of further information, whether for the same icon or for different icons, can be shown at any given time, since the text boxes would otherwise overlap and obscure each other. There is nothing in Salmimaa that suggests that the further information persists when subsequent further information is displayed.

Nokia does not teach or suggest any preview of an event and thus does not teach or suggest a persistent preview. Hence, the combination of Salmimaa and Nokia does not teach or suggest at least the claimed feature of “wherein the first preview persists on the main screen when a subsequent second preview is displayed for a subsequent event.” During the Examiner interview, the Examiner agreed that this feature would distinguish over the cited references.

Claims 46 and 51 recite additional feature not taught by Salmimaa and Nokia

Claims 46 and 51 are dependent on independent claims 21 and 33, and hence include features not taught or suggested by Salmimaa in combination with Nokia, as explained above. In addition, claim 46 recites the feature of “a delay before displaying the first preview in response to the user action” and claim 51 recites a similar feature.

This feature also is not taught or suggested by Salmimaa and Nokia. There is no teaching or suggested in either Salmimaa or Nokia of there being any delay in displaying

a preview in response to a user action. During the Examiner interview, the Examiner agreed that this feature would distinguish over the cited references.

Conclusion with regards to Salmimaa and Nokia

In view of the foregoing, the Applicant submits that the combination of Salmimaa and Nokia fails to teach all the features recited in the independent claims. The dependent claims include all the features of the independent claims and recite additional features not found in Salmimaa and Nokia. Thus, the present claims are all patentable over Salmimaa and Nokia for at least these reasons. The Examiner is respectfully asked to withdraw this rejection.

Salmimaa in view of Nokia and further in view of Hellebust

Claims 25, 27-28, 31, 32, 34, 36-37, 40 and 41 stand rejected under 35 U.S.C. 103(a) having regard to Salmimaa in view of Nokia and further in view of U.S. Publication No. 2005/0248437 (hereinafter "Hellebust"). The Applicant respectfully disagrees for at least the reasons provided below.

Combination of Salmimaa with Hellebust is improper

In the Response to Arguments, the Examiner maintains that it is proper to combine Salmimaa with Hellebust because the two are both related to mobile communication devices, receiving messages and displaying summarized information regarding the messages. The Examiner alleges that one could be motivated to modify Salmimaa with Hellebust to give Salmimaa the capability to further classify and categorize the received messages and to indicate the number of messages received related to a specific application.

While Salmimaa and Hellebust may be concerned with presenting information about received messages to the user, the two take two very different approaches. Salmimaa teaches modifying the icons by changing their size, color and location on the display (paragraphs [0013], [0027], [0028]) based on the priority of the message or service associated with the icon. Thus, the user is alerted to more relevant messages or

services by the modified appearance of the icon. Hellebust is not concerned with modifying an icon in any way, but rather filtering received messages so that a user is only alerted to high priority messages. Hellebust simply teaches that an icon or alert may be newly displayed for high-priority messages, and nothing is displayed for low-priority messages. The user is not provided with a visual cue of relative priorities, and in fact is not even notified of low-priority messages.

If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. In re Ratti, 270 F.2d 810, 123 USPQ 349 (CCPA 1959); M.P.E.P. § 2141.01 VI.

Clearly, the principle of operation of Salmimaa is completely different from that of Hellebust. While Salmimaa provides a visual ranking of icons based on their relevance, Hellebust does no such ranking and only shows high-priority messages. Salmimaa aims to maximize the number of icons shown on the display, while Hellebust aims to minimize the number of icons shown. Thus, the two are contrary to each other and a person skilled in the art would not find it obvious to combine the two in the manner suggested by the Examiner.

Combination of Salmimaa and Nokia with Hellebust does not arrive at the present claims

Even if Salmimaa and Nokia were to be combined with Hellebust, the combination would not result in the features of the present claims. As discussed above, neither Salmimaa nor Nokia teaches the claimed feature “wherein the first preview persists on the main screen when a subsequent second preview is displayed for a subsequent event.”

Hellebust does not teach any modification of an icon to display a preview. Hellebust does not teach or suggest the claimed feature of the first preview persisting when a subsequent second preview is displayed for a subsequent event. Thus, a combination of Salmimaa and Nokia with Hellebust still does not arrive at all the features claimed.

Conclusion with regards to Salmimaa and Nokia in combination with Hellebust

The Applicant submits it would not be obvious to a person skilled in the art to combine Salmimaa and Nokia with Hellebust. Even if such a combination were attempted, the claimed features are not all taught or suggested by Salmimaa, Nokia or Hellebust, whether taken individually or combined. As such, the present claims are all patentable over Salmimaa, Nokia and Hellebust. The Examiner is respectfully asked to withdraw this rejection.

**Conclusion**

It is believed that the Applicant has responded to each ground of rejection raised by the Examiner, and that for at least the reasons cited above the claims, as presented, are in condition for immediate allowance. Favourable reconsideration and allowance of the application are respectfully requested. Should the Examiner have any questions in connection with the Applicant's submissions, please contact the undersigned.

Applicant believes that no further fees are due in connection with the filing of this paper. In the event that the office determines that any further fee is due, Appellant requests that such fee be charged to its Deposit Account No. 195113.

Respectfully submitted,

**OGILVY RENAULT LLP**

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**APPENDIX I**

Page 2 from user manual of Nokia Communicator 9210i is provided on the following page.

The Nokia 9210i Communicator consists of two parts: the phone and the communicator interface. The phone is on the device cover and the communicator interface is inside the cover, both as shown in Figures 1 and 2.

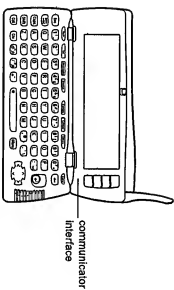


Figure 2

Both these parts use the same information from the memory of the communicator - they are not separate devices. For example, the phone uses the names and phone numbers stored in the Contacts directory of the communicator interface, and the communicator interface uses the phone for voice and data communications, for example, when sending and receiving faxes and connecting to the Internet.

The communicator interface contains many organiser and communications applications. The large keyboard, command buttons, and display make using the applications easy.

■ **Tip:** The communicator interface has no power on/off button - it switches itself on when you open the cover and switches off when you close the cover.